

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA, :
: 21-CR-499-05 (PAE)
-v- :
DAVON MIAL, : ORDER
:
Defendant. :
----- X

PAUL A. ENGELMAYER, District Judge:

Attached to this Order are the following:

- Exhibit 1: The notes sent by the jury during its deliberations; and
- Exhibit 2: The jury's completed verdict form.

SO ORDERED.

Dated: October 24, 2022
New York, New York

Paul A. Engelmayer
PAUL A. ENGELMAYER
United States District Judge

EXHIBIT 1

Foreperson - Juror #9

JURY NOTE 1

* EK 3001 - 3007

* TRANSCRIPTS TO

BUT VIDEOS

420A

~~422A~~ 432A

441A

451A

464A

~~520B~~
~~220P~~

JURY NOTE 2

Lab reports

520 A

520 B

532

533

541

551

564

JRY NOTE 3

Conspiracy #12 3/11/20

Trans #20 7/14/20

#27 8/13/20

#34 9/8/20

#37 9/15/20

#38 9/18/20

- shortened clips only
- Transcripts of interactions

Jury NOTE 4

- Some jurors need clarification of
the paragraphs last on page ~~29~~
of instructions and first on page 30.
as it relates to the indictment

Jury Note 5

-If we are close is it possible
to stay until 6:00pm?

Jury Note 6

- We will need to come back on Monday
- Can we have GX3005 in larger form

Jury Note 7

View

700 series of evidence - Arrest seizure

701

701P

900 series

- Car Seizure

Video

434 A (Excerpt)

437 A (Excerpt)

438 A (Excerpt)

Follow
w/ Transcripts

Jury Note 8

We have reached a verdict,
the verdict form is filled out
and we are ready to proceed.

JURY NOTE 9

EXHIBIT 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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-v-

: 21 Cr. 499 (PAE)
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:
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DAVON MIAL,
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Defendant.
:
:
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VERDICT FORM

COUNT ONE: **Conspiracy to Distribute, or Possess with Intent to Distribute, Crack Cocaine**

1. As to Count One, how do you find the defendant, DAVON MIAL—guilty or not guilty?

GUILTY NOT GUILTY _____

[If you answered “guilty” to Question 1, proceed to Question 2; otherwise, proceed to Question 5.]

2. Did the defendant either have personal involvement with, or was it reasonably foreseeable to him that the conspiracy charged in Count One involved, 280 grams or more of crack cocaine?

YES _____ NO

[If you answered “yes” to Question 2, proceed to Question 5. Otherwise, proceed to Question 3.]

3. Did the defendant either have personal involvement with, or was it reasonably foreseeable to him that the conspiracy charged in Count One involved, 28 or more grams but less than 280 grams of crack cocaine?

YES NO _____

[If you answered “yes” to Question 3, proceed to Question 5. Otherwise, proceed to Question 4.]

4. Did the defendant either have personal involvement with, or was it reasonably foreseeable to him that the conspiracy charged in Count One involved, less than 28 grams of crack cocaine?

YES _____ NO

[Proceed to Question 5.]

COUNT TWO: **Distribution, or Possession with Intent to Distribute, Crack Cocaine on or About July 14, 2020**

5. As to Count Two, how do you find the defendant, DAVON MIAL—guilty or not guilty?

GUILTY NOT GUILTY _____

[Proceed to Question 6.]

COUNT THREE: **Distribution, or Possession with Intent to Distribute, Crack Cocaine on or About September 4, 2020**

6. As to Count Three, how do you find the defendant, DAVON MIAL—guilty or not guilty?

GUILTY NOT GUILTY _____

[Proceed to Question 7.]

COUNT FOUR: **Distribution, or Possession with Intent to Distribute, Crack Cocaine on or About October 6, 2020**

7. As to Count Four, how do you find the defendant, DAVON MIAL—guilty or not guilty?

GUILTY NOT GUILTY _____

[Proceed to Question 8.]

COUNT FIVE: **Distribution, or Possession with Intent to Distribute, Crack Cocaine on or About December 30, 2020**

8. As to Count Five, how do you find the defendant, DAVON MIAL—guilty or not guilty?

GUILTY NOT GUILTY _____

[Proceed to Question 9.]

COUNT SIX: **Distribution, or Possession with Intent to Distribute, Crack Cocaine on or About June 2, 2021**

9. As to Count Six, how do you find the defendant, DAVON MIAL—guilty or not guilty?

GUILTY NOT GUILTY _____

[Please sign your names in the space provided below, fill in the date, and inform the officer that you have reached a verdict.]

After completing the form, each juror must sign below, reflecting his or her agreement with the forgoing verdict.

Silvana
Foreperson

Wendy

Janelle Demetrius

Sharon Lee

Olivia

Lynne

Josephine

M. Moore

Debra

Yvonne

A. G.

Dated: New York, New York
October , 2022